



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/899,163	07/06/2001	Ulrich Begemann	P20906	9779
7055	7590	10/15/2003	EXAMINER	
GREENBLUM & BERNSTEIN, P.L.C.			HUG, ERIC J	
1950 ROLAND CLARKE PLACE				
RESTON, VA 20191			ART UNIT	PAPER NUMBER
			1731	

DATE MAILED: 10/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/899,163

Applicant(s)

BEGEMANN ET AL.

Examiner

Eric Hug

Art Unit

1731

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35,38,40-44 and 48-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-35,38 and 40-44 is/are allowed.
- 6) ☒ Claim(s) 48-50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

In view of the Appeal Brief filed on July 30, 2003, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 48-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carmichael et al (WO 98/27279) in view of Gordon, Jr. et al (US 4,366,025) and Justus (US 3,198,694). Carmichael teaches two doctor blades attached to a housing open to a rotating roll, the blades being assigned to the roll with a wash spray means 9 and a wiping element 11 in between the doctor blades. Note page 2, lines 8-12, Carmichael says that one may employ double doctors to press rolls, pick-up rolls, suction rolls and/or couch roll of a papermachine. It would have been

Art Unit: 1731

immediately envisioned by one of ordinary level of skill in the art that such rolls may have grooves or bores, as Carmichael discusses the need to clean the pores of a roll (page 3, third paragraph). Indeed a suction roll always has grooves or bores, which may be blind bores. It is well known that a suction roll or a press roll may have blind bores, as exemplified by Gordon, Jr. et al. Thus, the two doctors may be assigned to a rotating roll with grooves and/or blind bores.

Page 3, first paragraph of Carmichael describes that a partial vacuum is created behind the doctor blade by the action of the roll passing the blade at high speed; thus an underpressure is hydrodynamically produced by these doctor blades. Carmichael does not explicitly say that the rear doctor "scrapes air off . . .". However this is an apparatus claim. The structure is shown and it is inherent that the rear doctor would be capable of scraping air off the rotating roll; at least to the same extent that the second doctor blade scrapes water off a rotating roll once a cleaning spray of water has been applied to it in between the doctor blades. Thus no structural distinctions can be seen from the current claim language over this reference.

Any other differences that may be gleaned are deemed to be prima facie obvious modifications of well known technical features. With respect to the claimed operating pressures for the cleaning device, the double doctor/spray assembly of Carmichael would inherently be able to operate at these claimed pressures, or it would have been prima facie obvious for one of ordinary skill in the art to optimize the pressure of the spray device. See *In re Boesch*, 205 USPQ 215 (CCPA 1980) (the discovery of an optimum value of a known result effective variable without producing any new or unexpected results is within the skill of the routineer in the art). With respect to using a rotating spray head versus a spray head with nozzles, this is deemed prima facie obvious as these are considered well-known equivalent means of applying

Art Unit: 1731

cleaning fluid to a surface. In fact, Justus teaches that it is well known to use rotary devices or jets (nozzles) to clean the pores of a paper making roll (see column 31, lines 40-59).

Allowable Subject Matter

Claims 1-35, 38, and 40-44 are allowed.

Response to Arguments

Applicant's arguments presented in the Appeal Brief regarding the rejection of Claims 1-35, 38, and 40-44, and 48-50 under 35 U.S.C. 103(a) as being unpatentable over Carmichael et al (WO 98/27279) as necessary with Meschenmoser (US 5,879,514), and further as necessary with Justus (US 3,198,694) and/or Justus (US 3,198,697) are persuasive. Carmichael teaches a double doctor/spray cleaning assembly for use about a porous suction roll. There is no teaching of using this in conjunction with another cleaning device assigned to a felt guided about the roll. In fact, Carmichael makes no mention of a felt at all, so it's not obvious to modify the double doctor/spray assembly to include a scraper for cleaning a felt. Meschenmoser discloses a double doctor and felt scraper assigned to a guide roll located within felt loop of the press section. There is no teaching of using this assembly in conjunction with a suction roll, most particularly between a press section and a suction roll. Therefore it would not be obvious to modify the felt and guide roll scraping apparatus of Meschenmoser, a device not associated with a press or suction roll, to include a device known for cleaning only suction rolls.

Additional consideration has been given to pertinent arguments regarding claims 48-50 in view of the new rejection given above. Applicant argued that no proper combination of the

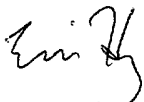
Art Unit: 1731

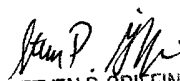
applied documents suggests *inter alia* a cleaning device arranged within the housing that can impinge the roll surface with a medium under a pressure that is greater than approximately 20 bar and less than about 30 bar, as recited in claim 48; *inter alia* a cleaning device arranged within the housing and comprising a rotating spray head that can impinge the roll surface with a medium under a pressure that is greater than approximately 20 bar and less than about 30 bar, as recited in claim 49; *inter alia* a cleaning device arranged within the housing and comprising a spray head with nozzles that can impinge the roll surface with a medium under a pressure that is greater than approximately 20 bar and less than about 30 bar, as recited in claim 50. These features are all addressed as obvious for reasons given in the rejection above.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Hug whose telephone number is 703 308-1980. The examiner can normally be reached on Monday through Friday, 9:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 703 308-1164. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308-0651.


jeh


STEVEN P. GRIFFIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1700